

ROUGH DRAFT OF HENRY MARCHIONNE MARCH 3, 2008

12 So at the time that Tom Miyano was
13 having his relationship with Miyano USA ended,
14 did Miyano USA attempt to restrict Tom Miyano's
15 ability to use his family name in connection with
16 any business?

17 A. No.

18 Q. So at the time that Tom Miyano was
19 leaving Miyano USA -- and Miyano Machinery Inc.,
20 the Japanese corporation -- there were no
21 restrictions placed on him regarding use of his
22 family name, is that correct?

23 MR. MANZO: Objection.

24 A. No, I couldn't answer that. I can't

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1 answer that. I don't know.

2 BY MR. BAKER:

3 Q. Could you answer it if we only asked
4 about Miyano USA?

5 A. Yes.

6 Q. And the answer then would be Miyano
7 USA placed no restrictions on Tom Miyano and the
8 use of his family name, correct?

9 A. But you are bringing up use of the
10 name. That never was brought up.

11 Q. That is what I am saying. Miyano USA
12 never brought it up?

13 A. No.

14 Q. Miyano USA never said to Tom Miyano
15 you may not use your family name for anything,
16 correct?

17 A. Well, no, not really, that is not
18 correct.

19 Miyano Machinery USA would have no
20 reason. It was not -- In other words, when he
21 separated from Miyano, that is done by
22 Miyano-Japan. Miyano USA had nothing to do with
23 that, so we wouldn't be talking discussing.

24 Q. That decision would have been made in

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1 Japan is what you are saying?

2 A. Yes.

3 Q. Which is essentially where all
4 decisions of that nature were made, correct?

5 A. Yes.

21 Q. Has that always been the case that
22 Miyano Machinery Japan has sent people to IMTS to
23 help out?

24 A. Yes.

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1 Q. Are you saying that Miyano Machinery
2 Japan employees always come to the IMTS?

3 A. Yes.

19 Q. Do any Miyano Machinery Japan
20 executives ever come to the IMTS?

21 A. Yes.

22 Q. What would their role be at the IMTS?

23 A. To attend the show.

24 Q. What do they do when he they attend

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1 the show?

2 A. Well, they spread goodwill. Users
3 like to meet the president of the company and
4 that. That is good public relations.

5 Q. It is relationship building?

6 A. Absolutely.

7 Q. And salesmanship?

8 A. Absolutely.

9 Q. It would be hard for Miyano USA to
10 sell Miyano Machinery Japan machines in the United
11 States without that presence of Miyano Machinery
12 Japan executives, right?

13 A. No, I wouldn't say that. No.

14 Q. But it helps though?

15 A. It helps --

16 Q. It builds --

17 A. -- everything else.

18 Q. It helps to build relationships with
19 potential customers, correct?

20 A. Right, yes.

21 Q. Do you know the names of any of the
22 executives from Miyano Machinery Japan who have
23 attended an IMTS?

24 A. Yes. John Saito. And I know a Mr.

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1 Ito came. I think he is an administrative man.

2 Other ones I wouldn't know the name,
3 but they would be like department managers like
4 to see what people think of the machines that

5 they design. And then also engineers, which I
6 wouldn't know their names, but they are allowed
7 to come. They bring a couple of them sometimes.

24 When was the first time that you

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1 learned about MiyanoHitec?

2 A. I think it was 2006.

3 Q. Approximately what month?

4 A. Maybe in the middle of the year.

5 Maybe May, something like that. I am not sure.

6 Q. Was it before the IMTS happened in
7 2006?

8 A. Yes, I think so. Yes.